



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
17 September 2019
English
Original: Russian
English, French, Russian and
Spanish only

**Committee on the Elimination of
Discrimination against Women
Seventy-fourth session**

21 October–8 November 2019

Item 4 of the provisional agenda

**Consideration of reports submitted by States parties
under article 18 of the Convention on the Elimination of
All Forms of Discrimination against Women**

**List of issues and questions in relation to the fifth periodic
report of Kazakhstan**

Addendum

Replies of Kazakhstan to the list of issues and questions*

[Date received: 16 September 2019]

* The present document is being issued without formal editing.



1. Constitutional and legislative framework

1. *Please indicate whether, in accordance with the amendments introduced in the Constitution in March 2017, the Convention is directly applicable within the national legal order, and specify whether it can be invoked by individuals in court proceedings.*

Please clarify whether there is any constitutional or other impediment to Kazakh courts applying or enforcing the views of the Committee under the Optional Protocol or the views of other treaty bodies.

Please provide information on steps taken to give sufficient visibility to the Convention, the communication and inquiry procedures under the Optional Protocol and the Committee's general recommendations.

Pursuant to the Act of 10 March 2017 amending the Constitution, amendments were introduced in the Constitution providing for the transfer of certain powers from the President of Kazakhstan to Parliament and the Government and the strengthening of the system of constitutional oversight.

In addition, the constitutional reform gave rise to a new and effective mechanism for the protection of the human and civil rights and freedoms enshrined in the Constitution. Under the basic law, human and civil rights and freedoms are not only recognized but also guaranteed in Kazakhstan.

Thus, in the interests of protecting human and civil rights and freedoms, the Head of State has the right to request the Constitutional Court to verify the constitutionality of laws or other legal acts that have entered into force (Constitution, art. 44, subparas. 1–10).

There are no constitutional impediments to the application or enforcement of the Convention.

Measures are being taken to implement the decisions of the Committee concerning individual communications. An interdepartmental working group has been established in the Office of the Procurator-General, consisting of heads of ministries and departments, to prepare information on individual communications submitted to United Nations committees. The group is working on a legal mechanism to give effect to the recommendations of the United Nations treaty bodies, in particular those regarding the payment of compensation to authors of individual complaints that are upheld by those bodies.

2. *Please indicate what measures have been taken to ensure that the amendments to be introduced in certain legislative acts related to family and gender policy issues, including regarding the definition of direct and indirect discrimination, as well as the changes envisaged in the definition of gender equality in the Act on State guarantees of equal rights and equal opportunities for men and women (the Gender Equality Act), contain a comprehensive legal definition of discrimination against women in line with article 1 of the Convention that: (a) encompasses direct and indirect discrimination in both the public and private spheres, as well as intersecting forms of discrimination; and (b) prohibits and sanctions all forms of discrimination against women, including discrimination based on sexual orientation and gender identity, in conformity with the Convention.*

Kazakhstan is working consistently to ensure that there is a comprehensive definition in law of the concept of discrimination against women, in line with article 1 of the Convention.

Article 14, paragraph 2, of the Constitution guarantees the protection of women from any form of discrimination: "No one may be subjected to discrimination of any

kind on grounds of origin, social, professional or property status, sex, race, ethnicity, language, attitude to religion, opinions, place of residence or any other circumstance.”

In addition, the Act on State guarantees of equal rights and equal opportunities for men and women, which entered into force in 2009, defines the term “sex discrimination” as any restriction on or infringement of human rights and freedoms or humiliation on grounds of sex (art. 1, para. 3).

Violating equality of human and civil rights is a criminal offence against those rights as enshrined in the Constitution. The Act of 12 July 2018 increased the penalties provided in article 145 of the Criminal Code for violations of equality of human and civil rights, including on grounds of sex.

As part of efforts to implement the Gender Equality Strategy for the period 2006–2016, approved by Presidential Decree No. 1677 of 29 November 2005, Kazakhstan has established a political and legal framework for protecting women’s rights. The conceptual framework for family and gender policy in Kazakhstan up to the year 2030, adopted on 6 December 2016, envisages implementation measures in the field of gender policy.

In order to apply the provisions of article 1 of the Convention and to give effect to the Committee’s concluding observations and recommendations, a special working group of the National Commission on Women’s Affairs and Family and Demographic Policy in the Office of the President is preparing a bill to amend certain legislative acts of Kazakhstan on issues related to family and gender policy. The bill provides for the introduction of the legal concepts of “direct and indirect discrimination” and addresses, in a broad way, efforts to combat sex discrimination. Amendments will be made to the Code of Administrative Offences, the Labour Code, the Marriage and Family Code, the Education Act, the Act on State guarantees of equal rights and equal opportunities for men and women and the Trade Unions Act, among others.

In addition, within the working group, a new version of the Act on the prevention of domestic violence is being prepared, containing detailed provisions on various forms of violence – physical, psychological, sexual and economic – and on holistic prevention measures.

It is planned to introduce these bills in Parliament as early as autumn 2019.

Furthermore, on 2 September 2019, the President gave an address to the people of Kazakhstan on the theme “Constructive social dialogue: the foundation for a stable and flourishing Kazakhstan”. In his address, the Head of State observed that far-reaching reform of the judicial and law-enforcement systems was a key factor in strengthening the protection of citizens’ rights and security. In this regard, the President gave instructions to Parliament and the Government concerning the need to increase, as a matter of urgency, the penalties for sexual violence, paedophilia, distribution of narcotic drugs, human trafficking, domestic violence against women and other serious offences against the person, especially against children. The Government has been instructed to take urgent action, within two months, to tighten up the relevant legislation.

3. *Please state whether measures are envisaged to establish a mechanism to monitor the implementation of the Gender Equality Act, including to receive and consider individual complaints, taking into account reports that article 124 of the Criminal Code, under which complaints of violations of the right to equality may be lodged, remains ineffective in practice, as the majority of cases are dismissed.*

Legislative measures have been taken to establish an effective mechanism to receive and consider complaints of discrimination on grounds of sex, sexual orientation or gender identity. The conceptual framework for family and gender

policy in Kazakhstan up to the year 2030 sets out measures to improve the mechanisms for monitoring and reporting cases of gender discrimination and violence. Members of the public may submit complaints to State agencies, central and local executive bodies, national human rights institutions, the National Commission on Women's Affairs and Family and Demographic Policy in the Office of the President, the procuratorial authorities and the courts. In all provinces of Kazakhstan and in the cities of Nur-Sultan, Almaty and Shymkent, regional commissions reporting to the administrative head (*akim*) ensure that the rights of women and children are protected.

The Act on State guarantees of equal rights and equal opportunities for men and women, of 8 December 2009, provides for a mechanism to monitor the Act's implementation. Article 13 of the Act establishes State monitoring and oversight of compliance with the legislation on gender equality, to be carried out through checks by the competent State agencies.

According to the data of the Supreme Court, the Convention was applied by the courts in 55 criminal cases heard in 2018 and the first six months of 2019.

2. Access to justice

4. *Please clarify whether legal remedies are available under the Gender Equality Act for women who wish to lodge a complaint about and seek redress in court for a violation of their rights under the Act. Please also provide information, including the outcomes, on relevant cases brought before the courts with respect to discrimination against women, and the number of cases in which the Convention was invoked.*

Under article 13, paragraph 2, of the Constitution, everyone has the right to judicial protection of his or her rights and freedoms. Article 13, paragraph 2, of the Code of Civil Procedure provides that, during civil proceedings, no citizen may be given preferential treatment or subjected to discrimination on grounds of origin, social, professional or property status, sex, race, ethnicity or any other circumstance.

The Act on procedures for the consideration of communications from natural and legal persons, of 12 January 2007, contains no restrictions on the exercise by women of their rights to seek redress by submitting complaints or other communications.

According to the Supreme Court's data, the courts applied the Convention in 4,462 cases in 2018 and the first six months of 2019 (including 1,585 civil cases, 55 criminal cases and 2,822 administrative cases).

3. National machinery for the advancement of women

5. *Please state the measures taken to strengthen the Office of the Commissioner for Human Rights (Ombudsman) and enable it to discharge its mandate independently and effectively in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including by strengthening the legal basis for its establishment and providing it with adequate human and financial resources.*

According to the report (CEDAW/C/KAZ/5, para. 77), a step-by-step review has been undertaken regarding the introduction of gender-sensitive budgeting when establishing the budgets of State agencies.

Please provide information on progress made in this regard and indicate the budget allocated for the implementation of the conceptual framework for family and

gender policy in Kazakhstan up to the year 2030, approved in 2016, and its related action plan, adopted in 2017 (paras. 18 and 73).

Commissioner for Human Rights (Ombudsman)

The institution of Commissioner for Human Rights was established pursuant to a presidential decree of 19 September 2019. Since 10 March 2017, in accordance with amendments made to the Constitution, the Commissioner has been selected exclusively by the Senate, the upper house of Parliament, for a five-year term. The constitutional amendments were aimed at bringing the institution of Ombudsman into line with the Paris Principles.

The National Centre for Human Rights provides information, analysis and institutional and legal support for the work of the Commissioner.

The Government is gradually increasing the financial support provided for the work of the Commissioner and the Centre. In 2017, approximately 80 million tenge was allocated from the State budget for that purpose; 112 million tenge has already been allocated in 2019, of which 29 million tenge is to support the activities of the national mechanism for the prevention of torture and other degrading treatment.

Subsequently, it is intended to increase the annual budget each year, up to an amount of 159 million tenge. Programmes are conducted to educate the public about human rights protection with support from educational institutions, non-governmental and international organizations and relevant ministries.

Gender-sensitive budgeting

Pursuant to item 43 of the plan of action to implement the conceptual framework for family and gender policy in Kazakhstan up to the year 2030 (first phase, 2017–2019), a draft plan for the introduction of gender-sensitive budgeting has been developed; the plan is currently being coordinated by the ministries concerned.

Budget for the implementation of the conceptual framework for family and gender policy in Kazakhstan up to the year 2030

To implement the conceptual framework for family and gender policy in Kazakhstan up to the year 2030, a plan of action for the first phase, 2017–2019, has been approved pursuant to Government Decision No. 106 of 3 March 2017. This plan provides for the necessary resources to implement the measures envisaged and specifies the sources of financing: the national budget, local budgets and extrabudgetary resources.

4. Temporary special measures

6. *According to the report, the working group responsible for the preparation of the bill to amend certain legislative acts related to family and gender policy discussed issues pertaining to the definition of “temporary special measures” and “gender quotas” in national legislation, with a view to eliminating gender inequality (paras. 64 and 77).*

Please provide information on the outcome of the discussion in the working group and the measures envisaged to develop a legal framework to ensure the systematic implementation of temporary special measures in all areas in which women are not sufficiently represented, in both the public and private sectors, and to ensure adequate monitoring and assessment of the special measures adopted.

The bill to amend certain legislative acts related to family and gender policy provides for “temporary special measures” and “gender quotas” to be defined in law.

It is planned to put the bill before Parliament this year.

5. Stereotypes and harmful practices

7. *Please indicate the measures taken to eliminate stereotypes that limit the role of women exclusively to caregiving and the upbringing of children, which affects women’s empowerment in all areas, including economic, social and political.*

In this regard, please indicate the measures implemented to further engage men in children’s upbringing and household duties and to implement supportive measures for the inclusion of women in the labour force.

Please respond to reports that religious leaders contribute to perpetuating discriminatory gender stereotypes, including by using public universities as a platform in that respect. Please explain the measures taken by the State party to eliminate that practice.

In order to implement the 2030 Agenda for Sustainable Development, one of the priorities of which is the recognition of unpaid childcare and domestic work, the equal involvement of both men and women in the upbringing of children and household duties is being promoted.

According to data from the Ministry of National Economy, the proportion of time spent on unpaid care and domestic work in Kazakhstan in 2018 was 12.3 per cent, close to the average for countries of the Organization for Economic Cooperation and Development (12.1 per cent in 2016).

In accordance with the Labour Code, a child’s mother or father, to be decided by the parents, has the right to take leave without pay to care for the child until he or she reaches the age of 3 years.

Systematic efforts are being made to promote women’s entrepreneurship with a view to integrating women into the labour market. Legislative and institutional frameworks have been established to support women’s businesses.

As at 1 January 2019, 1,577,747 small and medium-sized enterprises were registered in Kazakhstan, headed by 1,241,328 active entrepreneurs. Of the active entrepreneurs, 536,300 (or 43.2 per cent) were women.

Within the framework of the Employment Road Map for 2020, more than 12,000 projects have been subsidized, over 30 per cent of which are led by women entrepreneurs. KazAgro Holding provides support to rural women entrepreneurs, who have received 32 per cent of the total number of loans over the past three years. The Women in Business programme is being conducted jointly with the European Bank for Reconstruction and Development. More than 20,000 loans totalling US\$ 80.7 million have been provided to businesses run by women.

The Engbek (Labour) State programme for the development of productive employment and mass entrepreneurship for the period 2017–2021 proposes measures to promote employment, such as enhancing professional expertise and developing entrepreneurial skills. As at 1 January 2019, a total of 673,000 people, including 307,000 women (50 per cent), had benefited from State support under the programme. About 13,000 women underwent training on the fundamentals of business as part of the Bastaū – Biznes (Business Start) project.

As a result of current government policy, Kazakhstan has made considerable progress in ensuring equal economic rights and opportunities. In 2018, the World

Economic Forum ranked Kazakhstan thirty-second out of 149 countries for the indicator “economic participation and opportunity”.

Efforts are being made to strengthen family values and enhance the positive role of fathers in the family. Resource centres and social services for families have been established. Since 2016, in order to enhance the role of fathers in raising a family, a national fathers’ forum has been held every year. The fourth forum is scheduled for 13 September 2019. Through the efforts of active fathers, a voluntary association, Fathers’ Union, has been established, along with branches in the regions.

Steps are being taken to revive spiritual, moral and family values as part of the Rūkhani Zhangghyrū (Spiritual Revival) programme and in line with the priorities set out in *Seven Facets of the Great Steppe*, which were adopted by order of the first President, the Elbasy (Head of the Nation), N.A. Nazarbayev.

The issues of strengthening the institution of the family and cultivating high moral values are reflected in the conceptual framework for family and gender policy in Kazakhstan up to the year 2030. The framework is synchronized with the tasks set out in the “Kazakhstan 2050” strategy, the national plan and the Convention on the Elimination of All Forms of Discrimination against Women and takes into account the Sustainable Development Goals.

Reports that “religious leaders contribute to perpetuating discriminatory gender stereotypes, including by using public universities” are unfounded. At higher education institutions in Kazakhstan, religious studies classes are conducted in accordance with academic programmes and curricula. A model religious studies programme was approved by the National Education Council within the Ministry of Education and Science and was recommended to universities for inclusion in the curricula for all undergraduate degree programmes. Through religious studies, students learn about the following topics, among others: “Religious studies and science”, “Religion: past and present” and “Religion, the State and politics”.

Gender and family rights topics are included in the curricula for social sciences and humanities at universities. Training on gender-related issues has been introduced to enhance the skills of teachers.

8. *Please provide details on steps envisaged to improve the collection of data on child and forced marriage, and to develop a national strategy to raise awareness among parents, community leaders and the public at large about the harmful effects of child marriage and forced marriage, practices that reportedly continue to be frequent, especially in rural areas and among some ethnic groups.*

Please provide disaggregated data on the incidence, frequency and geographical coverage of cases of bride kidnapping.

Please explain the measures implemented to eliminate the practice, in particular in rural areas, and to ensure that those responsible are adequately sanctioned, including in cases in which the perpetrators voluntarily release the abducted woman or girl.

In the context of the conceptual framework for family and gender policy, steps are being taken to raise awareness among parents, community leaders and the public at large about the harmful effects of child marriage and forced marriage. Community organizations (councils of fathers, mothers, elders and communities) have been involved in efforts to educate representatives of religious institutions about the impermissibility of violence and child marriage.

The Ministry of Education and Science is working continuously in educational institutions to raise awareness among children and parents of the harmful effects of child marriage and forced marriage. From 4 to 13 October each year, in honour of the

International Day of the Girl Child, all educational institutions celebrate a 10-day national festival entitled “Qyz bolashaghy – el bolashaghy”, the aim of which is to uphold the rights of girls to education, health services and protection from discrimination, violence, child marriage and forced marriage and to combat stereotypes that create an environment for the violation of the rights of girls and women.

A survey involving detailed analysis and identification of the reasons for child and forced marriage was conducted with the Creative Women’s League, a voluntary association. Using the outcome of the survey, a methodological guide on the prevention of early and forced marriage was developed and sent to all regions of the country.

For the past three years, the Ministry of Information and Social Development, together with the non-governmental sector, has been implementing social projects involving information campaigns on the effects of child marriage and on reducing the risk of threats to the physical and mental health of girls, outreach programmes for children, parents, teachers and religious leaders, and the elaboration of a response protocol to protect victims of child marriage and forced marriage.

In Kazakhstan, bride kidnapping is considered a crime and is classified as “kidnapping”. Six cases of bride kidnapping were under investigation in 2017 (three at the Zhambyl province police department and one each at the police departments for Aktyubinsk province, East Kazakhstan province and Southern Kazakhstan province); one in 2018 (Turkistan province police department); and four in the first eight months of 2019 (two at the Kyzylorda province police department, one at the Karaganda province police department and one at the Zhambyl province police department). All the investigations are complete, and the cases have been referred to the courts.

The Criminal Code also provides for penalties for sexual intercourse or other sexual acts with a person under 16 years of age (art. 122), the maximum punishment for which is imprisonment for 5 to 15 years with a lifelong ban on holding certain positions and engaging in certain activities); kidnapping (art. 125), punishable by imprisonment for 4 to 15 years, with or without confiscation of property; and unlawful deprivation of liberty (art. 126), punishable by imprisonment for 3 to 10 years, with or without confiscation of property.

Furthermore, since the entry into force of the new version of the Criminal Code on 1 January 2015, the penalties for sexual and economic exploitation of children and non-fulfilment or inadequate fulfilment of parental responsibilities have been increased. The Criminal Code provides for the option of life imprisonment for rape or sexual assault of minors (art. 120, para. 4).

In the new versions of articles 121 (Violent sexual acts), 122 (Sexual intercourse or other sexual acts with a person under 16 years of age), 124 (Corruption of minors), 128 (Human trafficking), 132 (Involvement of minors in criminal offences) and 134 (Recruitment of a minor for prostitution) of the Criminal Code, the sentences have been significantly increased, with lifelong bans introduced on holding certain positions and engaging in certain activities.

On 9 April 2016, the Head of State signed the Act amending certain legislative acts of Kazakhstan related to the protection the rights of the child, by which harsher penalties were introduced for sexual offences against children.

The Act amending certain legislative acts of Kazakhstan related to the activities of organizations for the protection of the rights of the child, adopted on 1 April 2019, provides for harsher penalties for sexual offences against children, specifically increased prison sentences, and for the inclusion of step-parents as perpetrators.

Furthermore, in his address to the people of Kazakhstan on 2 September 2019, the President of Kazakhstan gave instructions concerning the need to increase the penalties for sexual violence, paedophilia, distribution of narcotic drugs, human trafficking, domestic violence against women and other serious offences against the person, especially against children.

6. Gender-based violence against women

9. *Please provide information on progress made in view of the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.*

Please also provide information on measures taken in relation to reports that certain acts of violence against women have been decriminalized and that unofficial data show a higher rate of violence, including physical, psychological and sexual violence, compared with official data provided for the period 2015–2016.

In this regard, please state steps envisaged with a view to developing comprehensive legislation criminalizing all forms of violence against women.

Please indicate the status of the revision of the Domestic Violence Act and provide information regarding the timeline for the adoption of the amendments.

Please state whether women's associations, the relevant ministries, civil society organizations and other stakeholders, including the relevant United Nations entities, are involved in the review process for the Act.

Please indicate the steps taken when revising the Act to ensure that the revised text comprehensively covers all forms of domestic violence, and indicate whether a coordination and monitoring mechanism is envisaged for its implementation.

According to the report, the Statistics Committee plans to conduct a survey on domestic violence against women on a regular basis (para. 28). Please provide more information on the outcome of the survey conducted and indicate whether the necessary resources have been secured to carry out the survey regularly.

Kazakhstan is not currently a State party to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. According to the Council of Europe Secretary General, in the period 2014–2017 the Council of Europe intended to consider all applications by Kazakhstan to become a party to European conventions once the implementation of the action plan of Kazakhstan and the Council of Europe entitled “Neighbourhood cooperation priorities for Kazakhstan 2014–2017: cooperation activities on Council of Europe’s conventions in criminal matters” was completed.

It would therefore have been premature for Kazakhstan to apply to the Council of Europe to become a party to Convention No. 210 before completion of the action plan.

The Ministry of Internal Affairs of Kazakhstan, together with the Ministry of Foreign Affairs, is currently finalizing the country’s application to the Council of Europe to become a party to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

On decriminalization and unofficial data showing a higher rate of violence compared with official data provided for the period 2015–2016

On 3 July 2017, the Head of State signed the Act amending certain legislative acts of Kazakhstan on improving the law enforcement system, whereby two misdemeanours – deliberate infliction of minor bodily harm (Criminal Code, art. 108)

and assault (Criminal Code, art. 109) – were decriminalized and reclassified as administrative offences.

Accordingly, two new provisions were introduced in the Code of Administrative Offences: article 73-1 (Deliberate infliction of minor bodily harm) and article 73-2 (Assault).

It should be noted that, in 2014, these acts, which are committed most often in family settings, had been upgraded from administrative to criminal offences, namely, infliction of minor bodily harm (Criminal Code, art. 108) and assault (Criminal Code, art. 109).

With the criminalization of these acts, handling proceedings and establishing the guilt of offenders became more complex. In addition, in the case of private prosecutions, judicial proceedings were initiated only after the filing of a formal complaint by the victim and the payment of court fees. Complainants themselves were required to gather evidence and arrange for the appearance of witnesses before the court. The sanctions under the articles included higher fines, which were paid by offenders from the common family budget. There were no special facilities in the country for the detention of such criminals. As a result, victims of domestic violence were less likely to turn to the police for help, which only made their situations worse. The decriminalization of offences that take place in a domestic context has had a positive effect.

Under the Act on special social services, domestic violence is defined as a form of ill-treatment and grounds for the provision of special social services. A standard for the provision of special social services to victims of domestic violence was approved by Ministry of Labour and Social Protection Order No. 1079 of 21 December 2016. The period of pretrial administrative detention of offenders, who are kept apart from victims of violence in special police premises, was increased from 3 to 24 hours.

Pursuant to the amendments made to the Domestic Violence Act of 1 January 2010 (over the period 2010–2018), the validity period of injunctions was increased and, in addition to local police chiefs, neighbourhood police officers and officers responsible for minors and the protection of women from violence were vested with the authority to issue injunctions, enabling a prompt response to domestic violence. In addition, the possibility of temporarily evicting perpetrators of domestic violence from the family home (for up to 30 days) was introduced (provided that the offender has alternative accommodation).

As a result of these legislative measures, the level of domestic crime in the country has declined by an average of 10 per cent each year (since 2010).

The National Commission on Women’s Affairs and Family and Demographic Policy is currently developing a new version of the Act on the prevention of domestic violence. The bill contains detailed provisions on various forms of violence – physical, psychological, sexual and economic, on holistic prevention measures and “zero tolerance” towards violence, and on the introduction of statistical reporting on domestic violence, including gender-disaggregated and other indicators. Non-governmental organizations (NGOs), relevant public authorities, academics and people on the ground have been invited to participate in the preparation of the bill. It is planned to introduce these bills in the legislature in autumn of this year.

The following measures are also envisaged: the creation of regional offices for family affairs, an increase in the number of family support centres to cover rural areas, the establishment of a single electronic database of all families living in difficult circumstances, the development of an interdepartmental cooperation mechanism and

the improvement of the system for the collection and analysis of statistical information on violence against women.

There are currently 35 crisis centres operating in the country, 24 of which have shelters. During the reporting period, about 350 professionals (psychologists, lawyers and social workers) were enlisted to help victims of violence in the centres. The centres provide anonymous, confidential and free support. Since the beginning of the year, professionals at the crisis centres have provided consultations to 5,068 affected women.

More than 4,700 calls have been made to the crisis centre helplines this year, following which about 3,000 women came to the crisis centres for help, with 500 being accommodated in shelters.

With the aim of developing effective measures to combat domestic violence, a project entitled “Kazakhstan without domestic violence” has been under way since 2015. As part of the project, psychosocial care services have assisted 2,200 people, and 965 community meetings and 32 round tables and seminars have been held. A road map is also being implemented.

In 2018, the Ministry of Information and Social Development implemented a project on the prevention of domestic violence in educational institutions of all types and workplaces, which included training and awareness-raising activities on the prevention of violence against children.

With regard to statistical reporting and analysis, the Committee for Legal Statistics and Special Records in the Office of the Procurator General is compiling statistics on offences, including those against women and children. A total of 115,285 criminal offences were registered in 2018 compared with 119,608 in 2017, representing a decrease of 3.6 per cent.

In 2015, the Statistics Committee of the Ministry of National Economy, with the direct support of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Population Fund (UNFPA) and the World Health Organization (WHO), for the first time conducted a sampling survey on domestic violence against women, the findings of which revealed that about 17 per cent of women between 18 and 75 years of age have experienced physical and/or sexual violence at least once. More detailed information can be found in the outcome report, which is available on the official website of the Committee at <http://stat.gov.kz/official/industry/67/publication>. Data on violence against women, including administrative data, are available in the “Gender statistics” section (<http://gender.stat.gov.kz/ru/category/4>). The survey was included in the plan of action to implement the Gender Equality Strategy for 2006–2016, the Government allocated the necessary financial resources, and expert and technical support was provided by the country offices of UN-Women, UNFPA and WHO.

10. *In view of the Committee’s previous recommendations, please indicate whether steps are envisaged to revise the Criminal Code (art. 120) to ensure that the definition of the crime of rape is in accordance with the Convention and the Committee’s jurisprudence under the Optional Protocol (CEDAW/C/KAZ/CO/3-4, para. 19 (d)). Please clarify the references to “lesbianism” in articles 121 to 123 of the Code.*

Articles 120 and 121 of the Criminal Code establish criminal liability for the commission of rape and violent sexual acts. Article 123 provides for liability for coercion to engage in sexual intercourse, sodomy, lesbian acts or other sexual acts.

Article 145 provides for criminal liability for direct or indirect restrictions on the rights and freedoms of a person, including on grounds of sex.

On 2 September 2019, in his address to the people of Kazakhstan, the President of Kazakhstan gave instructions concerning the need to increase the penalties for sexual violence, paedophilia, distribution of narcotic drugs, human trafficking, domestic violence against women and other serious offences against the person, especially against children. The Government has been instructed to take appropriate action, within two months, to amend the relevant legislation.

7. Trafficking and exploitation of prostitution

11. *Please provide information on measures taken to prevent and combat trafficking in women and girls, and provide data on existing policies on exit programmes for women who wish to leave prostitution.*

In Kazakhstan, criminal liability is established for human trafficking, including trafficking in women and girls.

Criminal liability is established for offences under articles 128 (Human trafficking), 116 (Coercion to remove or unlawful removal of human organs or tissue), 125, paragraph 3 (2) (Kidnapping for the purpose of exploitation), 126, paragraph 3 (2) (Unlawful deprivation of liberty for the purpose of exploitation), 134 (Recruitment of a minor for prostitution), 135 (Trafficking in minors), 308 (Recruitment for prostitution) and 309 (Establishing or maintaining premises for prostitution or procurement), with a maximum sentence of imprisonment for up to 15 years with confiscation of property.

To provide redress to victims, including victims of human trafficking, the Act on the victims' compensation fund was adopted; the Act stipulates forms, amounts and procedures for payments to those entitled to State-guaranteed compensation.

Under the Act on special social services, human trafficking is defined as a form of ill-treatment and grounds for the provision of special social services. To implement the provisions of this law, criteria for assessing whether ill-treatment has occurred in the context of human trafficking were approved by joint orders of the Ministry of Internal Affairs (No. 630 of 22 September 2014), the Ministry of Education and Science (No. 399 of 26 September 2014) and the Ministry of Health and Social Development (No. 240 of 19 November 2014); a standard governing the provision of special social services to victims of trafficking was approved by an order of the Ministry of Health and Social Development (No. 138 of 24 February 2016).

The criteria regulate the procedure for identifying trafficking victims. The standard defines the mechanism for referral between law enforcement agencies, NGOs, and health-care and social welfare institutions and for the provision of assistance, as well as the procedure for the provision of services in institutions intended for daily, temporary or long-term residence of persons in difficult life situations.

In 2016, the standard was approved in Kostanay and Southern Kazakhstan provinces and in the cities of Almaty and Astana, and in 2017 it was introduced throughout Kazakhstan.

Together with the International Organization for Migration (IOM), brochures were developed on prevention and assistance to victims of trafficking and sent to the regional commissions on combating the unlawful transfer abroad, entry or trafficking of persons, for use in their work and for public outreach.

Within the Government, there is an interdepartmental commission on combating the unlawful transfer abroad, entry or trafficking of persons, comprising representatives of State agencies, non-governmental and international organizations

(office of the Organization for Security and Cooperation in Europe (OSCE) in Astana, IOM). Similar regional commissions operate under local executive bodies.

Government action plans are adopted every three years; five such plans have been implemented in the last 15 years. In October 2018, a plan of action was approved for preventing and combating crimes related to human trafficking for the period 2018–2020.

The media is continuously monitored for materials related to human trafficking and child pornography, and the findings of such monitoring, when there are grounds to do so, are referred to the criminal prosecution bodies.

In order to prevent crimes involving human trafficking, preventive operations entitled “Stop Trafficking” are conducted regularly nationwide; during such operations, checks are carried out on the activities of modelling, tourist and marriage agencies offering services related to travel and employment abroad.

In order to provide assistance to citizens abroad, the Ministry of Foreign Affairs has a special programme on protecting and guaranteeing the rights and interests of citizens of Kazakhstan abroad.

Together with international organizations, an event is held every year under the slogan “Let’s join together to put an end to human trafficking”; during the event, staff of the internal affairs agencies conduct outreach and organize flash mobs, sports events and other activities.

Since 2005, a specialist training centre on combating illegal migration and human trafficking has operated at the Karaganda Academy of the Ministry of Internal Affairs, where more than 200 internal affairs officers take refresher courses every year.

To address the issue of youth employment, including for young girls, a road map on celebrating the Year of Youth was approved pursuant to Government Decision No. 27 of 30 January 2019, and there are plans to launch a project known as “Find Yourself”.

8. Participation in political and public life

12. *In view of the Committee’s previous concluding observations, please provide information on steps taken to review the current electoral legislation to ensure that temporary special measures or quotas are reflected in the legislative framework (CEDAW/C/KAZ/CO/3-4, para. 23).*

Please provide information on the number of women appointed as ministers in the new Government and explain how the State party intends to achieve gender parity and substantive equality at the decision-making level, including in the executive, Parliament, the judiciary and the private sector.

Please provide information on specific measures implemented by political parties to increase the number of women in decision-making and leadership positions and indicate how many women are represented in those positions.

Please provide information on measures implemented to eliminate the persistent discriminatory gender stereotypes regarding the role of women in public and political life.

In Kazakhstan, provisions ensuring real equality of rights for the country’s citizens irrespective of gender are enshrined in law (Constitution, art. 33, para. 2, and Constitutional Act on elections in Kazakhstan, art. 4, paras. 1 and 2).

An effective mechanism for the social and political advancement of women has been developed. The conceptual framework for family and gender policy in

Kazakhstan up to the year 2030 sets the following targets for the proportion of women at decision-making level: 22 per cent by 2020, 25 per cent by 2023 and 30 per cent by 2030.

As at 1 January 2019, women constituted 55.4 per cent of the country's civil servants; 39.8 per cent were in managerial positions.

A woman has been elected Speaker of the upper house of Parliament. Women head the Ministry of Culture and Sport and the Civil Service Agency. In the early presidential elections held on 9 June 2019, a woman was nominated as a presidential candidate for the first time in an election campaign by the Aq zhol political party.

Female representation in Parliament is 22.4 per cent, which reflects the OSCE average. The proportion of women in local representative bodies (*maslikhat*) is 22.2 per cent.

The representation of women in six political parties ranges from 34 to 62.5 per cent: in the Nur Otan party, 62.5 per cent; in the Communist People's Party, 46 per cent; in Auyl, 41 per cent; in Birlik, 43.5 per cent; in the Nationwide Social Democratic Party, 40.4 per cent; and, in Aq zhol, 34.7 per cent.

At a joint meeting on 30 March 2018, the Central Commission for Elections and the National Commission on Women's Affairs and Family and Demographic Policy developed special recommendations for political parties to enshrine gender quotas in their statutes and to take gender into account when including candidates in party lists and nominating candidates for elected office.

As a result of legislative amendments, women service personnel represent the interests of the Armed Forces of Kazakhstan as military observers and staff officers in United Nations missions approved by Parliament.

9. Nationality

13. *In its previous concluding observations, the Committee expressed concern about the fact that a considerable number of childbirths were not registered in the State party (CEDAW/C/KAZ/CO/3-4, para. 25). Please provide information on the specific measures that are being taken to ensure that women, in particular women in poverty and rural women, are aware of the requirements relating to State birth registration and are able to gain unimpeded access to birth registration services, including birth certificates, provided by the Government (ibid., para. 25 (b)). Please report on how the legislation requiring foreign nationals to renounce their citizenship in order to acquire Kazakh citizenship affects more women than men.*

Birth registration is carried out by the State in accordance with chapter 25 of the Marriage and Family Code. Under article 187 of the Code, the basis for registering the birth of a child is the medical certificate of birth or a copy of the court decision establishing the fact of the child's birth. Birth registration is free of charge.

The parents or other interested parties must declare the birth of a child to the registration bodies no more than three days after the date of the birth.

In addition, citizens may register a birth by applying to the "Government for Citizens" offices located in perinatal clinics and maternity homes or independently through their personal account on the eGov.kz portal.

Registration services are now also provided free of charge through SMS text messaging. Within 24 hours of the birth of a child, the information system, having received a notification from the medical establishment, sends subscribers the necessary reference information. The SMS text message also contains a link to

Telegram-bot (<https://t.me/EgovKzBot>), which allows services to be accessed with the help of the Telegram application. The information needed to provide services is compiled from the information systems of various State agencies, and missing data are requested from mothers through SMS text enquiries containing brief examples of how the relevant details should be filled in.

If the parents' identity documents are not available, when the birth is registered the parents' details are entered on the basis of their marriage certificate or the record of the marriage held by the registration body. In the case of births that take place outside medical establishments, including home births, a medical certificate of birth must be drawn up on the basis of the mother's identity documents by a staff member at the medical establishment she attends following the birth or by the private medical practitioner who performed the delivery.

Pursuant to Presidential Decree No. 898 of 25 August 2014 on the delineation of powers among the various levels of government, in the sphere of justice, functions relating to civil registration have been transferred to local executive bodies. There is unimpeded access to birth registration services, which are provided free of charge.

Concerning the need to renounce citizenship of foreign States on acquiring Kazakh citizenship, the following information should be noted.

Act No. 1017-XII of 20 December 1991, the Citizenship Act, provides in article 16, subparagraph (1), that persons who have received permission to reside permanently in the territory of Kazakhstan, after five years of residency or not less than three years of marriage to a Kazakh citizen, are eligible to apply for Kazakh citizenship.

In accordance with article 17, subparagraph (7), a citizenship application must be rejected if the individual who submitted it is a citizen of another State. This provision is not applied in the case of persons who present to the internal affairs agencies a notarized written request to renounce their foreign citizenship and are covered by international treaties ratified by Kazakhstan, or in respect of persons referred to in article 16-1 (Kazakh repatriates (*oralman*); rehabilitated victims of mass political repression and their descendants who were stripped of or forfeited their citizenship without their free consent and reside permanently and lawfully in the territory of Kazakhstan, irrespective of the length of residence; and ethnic Kazakhs studying at higher education institutions in Kazakhstan) or in the second paragraph of article 16, subparagraph (1). Minors, individuals who lack dispositive capacity and persons who have rendered meritorious services for Kazakhstan or exercise a profession and meet the requirements set out in the list established by the President, along with citizens of the former Soviet republics who come to reside permanently in Kazakhstan one or more of whose close relatives are Kazakh citizens, are eligible to apply for Kazakh citizenship irrespective of the length of residence in Kazakhstan.

Under the Agreement of 26 February 1999, which was ratified by an act of 30 December 1999, citizens of the Russian Federation, Belarus and Kyrgyzstan are covered by the simplified procedure for acquiring Kazakh citizenship and do not need to complete exit formalities.

Kazakhstan ratified the Convention on the Nationality of Married Women, of 29 January 1957, by an act of 5 January 2000. In 2018, 404 foreign women covered by the Convention received Kazakh citizenship under the simplified procedure.

14. *In view of the Committee's previous concluding observations (CEDAW/C/KAZ/CO/3-4, para. 25 (a)), please indicate whether programmes aimed at accelerating the regularization of stateless women and girls have been developed, and explain the measures taken to ensure that stateless women and women of*

undetermined nationality have access to birth registration, identity documentation and acquisition of nationality.

Please state whether official statistical data on stateless persons and persons of undetermined nationality, disaggregated by age and sex, are available. If so, please provide the most recent updated official statistical data available on the number of stateless women and women of undetermined nationality in the State party.

In accordance with article 12, paragraph 4, of the Constitution, foreign nationals and stateless persons enjoy the same rights and freedoms in Kazakhstan and bear the same duties as Kazakh citizens, unless otherwise provided in the country's Constitution, laws and international treaties.

The Legal Status of Foreign Nationals Act, of 19 June 1995, provides that persons who are not Kazakh citizens and do not possess evidence that they are citizens of another State are deemed to be stateless persons.

Stateless women and women of undetermined nationality have access to birth registration and identity documentation and may acquire Kazakh citizenship under the established procedure on obtaining the appropriate documents. The list of documents to be submitted to the internal affairs agencies on applying for a permanent residence permit is contained in Ministry of Internal Affairs Order No. 315 of 7 April 2015, whereby standards were approved for State services with regard to the registration of foreign nationals and stateless persons and the issuance of permanent residence permits to them.

As at 31 August 2019, there were 7,570 stateless persons and persons of undetermined nationality in the territory of the Republic, compared with 6,724 in 2018.

10. Education

15. *Please explain how the State party promotes the importance of girls' education at all levels as a basis for their human rights and empowerment.*

Please indicate the steps envisaged to introduce comprehensive sex education in schools.

Please provide information on the steps taken to combat discriminatory gender stereotypes in education and eliminate structural barriers to the enrolment of girls in non-traditional fields of education such as science, technology, engineering and mathematics, as well as in the digital field.

Please explain the measures taken to prevent girls dropping out of school owing to child marriage, and indicate whether specific measures are envisaged to ensure that child brides can complete their education.

Equal access to education is guaranteed in law for male and female students and is being fully implemented in practice. The laws regulating the education system have been brought into line with the "Kazakhstan 2050" strategy, one of the goals of which is to improve the quality of education. To achieve that goal and to broaden access to education, in 2016 the State programme for the development of education and science for the period 2016–2019 was adopted.

Pursuant to the plan of action to implement the conceptual framework for family and gender policy in Kazakhstan up to the year 2030, a subject entitled "Self-knowledge" has been incorporated into the school curriculum to endow school-age children with the skills necessary to achieve their potential. In addition, in keeping with the "Start with yourself" principle, in 2017, 799 teachers from various

regions completed advanced training courses at which universal values, including gender equality, were examined.

In 2018, of 3,105,334 school pupils, 49.5 per cent were girls. Of the 489,818 students at technical and vocational training institutions, 47 per cent were women.

There are 128 higher education institutions and branches of such institutions in Kazakhstan: 45 State and 83 private institutions. In the 2018/19 academic year, 542,458 students were pursuing undergraduate degrees, of whom 53.9 per cent were women; 38,594, master's degrees, of whom 59.1 per cent were women; and 5,609, doctoral degrees, of whom 64.6 per cent were women.

There were 120,272 students taking technical courses, of whom 31.3 per cent were women. Women represented 73.1 per cent of those studying in specialized fields of education, 76.8 per cent of students on medical and pharmaceutical courses, and 23.5 per cent of agriculture and veterinary medicine students. They accounted for the majority of students in the natural sciences, mathematics and statistics and also studied culture and the humanities.

In 2018, Kazakhstan was ranked thirtieth out of 149 countries in terms of "educational attainment" in the Global Gender Gap Index of the World Economic Forum.

11. Employment

16. *Please provide more detailed information on the outcome of the study conducted on sexual harassment in the workplace in 2016 and explain in detail the steps envisaged to accelerate the development of a law prohibiting such harassment, in view of the Committee's previous concluding observations (CEDAW/KAZ/CO/3-4, para. 29 (d)) and taking into account the Views of the Committee in communication No. 45/2012 of 13 July 2015.*

A special working group is preparing a bill to amend certain legislative acts of Kazakhstan on issues related to family and gender policy in order to implement the provisions of the Convention and to give effect to the Committee's concluding observations and its decisions regarding communication No. 45/2012 of 13 July 2015. It is planned to define the concepts of "direct and indirect discrimination" in law and to regulate efforts to combat sex discrimination, including sexual harassment in the workplace.

Additional information is contained in the answer below (see question 17).

For information: in its Views on communication No. 45/2012, Belousova v. Belarus, the Committee recommended that Kazakhstan should adopt comprehensive legislation, in particular in the field of labour, to combat sexual harassment in the workplace, in line with the Committee's general recommendation No. 19, including a comprehensive definition of sexual harassment in the workplace and establishing effective complaints procedures, remedies and sanctions (para. 11 (b) (i)); and ensure that, in the implementation of article 351 of the Criminal Code, victims are not required to sign any statement if it may effectively constitute an impediment to their right to access to justice (para. 11 (b) (ii)).

17. *It is stated in the report that the National Commission on Women's Affairs and Family and Demographic Policy is considering the question of strengthening the role of the ethics ombudsman in the protection of women in the civil service from sexual harassment and unethical or unequal treatment by managers of State bodies (paragraph 68, in relation to article 2 (e)). Please provide more details on the mandate of the office of the ethics ombudsman and the budget allocated for its*

functioning, and state, with supporting data, what its impact has been on the protection of women against sexual harassment in the civil service.

Ethics ombudsmen are responsible for monitoring and overseeing compliance with professional ethics in the central offices of State agencies and in the offices of administrative heads in the provinces, the cities of national status and the capital. In other agencies, the role of ethics ombudsman is entrusted to staff members who occupy leadership roles and have earned the recognition and respect of their colleagues. Their work is aimed at preventing breaches of the law and protecting the rights of all civil servants, including women.

In 2018, there were 764 ethics ombudsmen, of whom 29 were independent and 7 were women. The role of ethics ombudsman had been assigned to 735 staff members. In the past year, ethics ombudsmen were consulted by 11,866 persons, a threefold increase compared with the figure for 2017 (3,461).

According to a survey, in the past year the level of trust towards ethics ombudsmen increased by 8 percentage points (from 71 per cent in 2017 to 79 per cent in 2018). The rights of 199 complainants, including 20 women, were restored.

18. *Information before the Committee indicates that the State party adopted a decree by the Minister of Labour and Social Protection on 13 August 2018, which reduces the list of professions prohibited to women from 287 to 219. Please provide information, including a timeline, on the next steps to continue to reduce the list of prohibited professions with a view to increasing the accessibility of all professions to women.*

It is indicated in the report that, in 2016, the ratio of women's wages to men's wages was 68.6 per cent (para. 116) and that, for the purposes of consistently reviewing wage levels in sectors in which women are concentrated, a new system of remuneration was introduced in 2016 that affected more than 1 million workers whose salaries increased by an average of 30 per cent (para. 108). Please provide information on the number of women who benefited from the new system of remuneration.

It is also stated in the report (para. 116) that women in employment are concentrated in the areas of education, health care and social services. In view of the Committee's previous concluding observations (CEDAW/C/KAZ/CO/3-4, para. 29 (b)), please provide updated information on the measures implemented to eliminate occupational segregation in employment between men and women.

Under the Constitution, the protection of childhood, maternity and paternity is one of the main priorities of State policy. Accordingly, with a view to the protection of the health of women as mothers, the Labour Code prohibits their employment in heavy work and jobs with harmful and/or dangerous working conditions, a list of which is compiled on the basis of medical findings by research institutions (Labour Code, art. 26).

Given that, with the introduction of modern manufacturing technologies and computerization, many occupations are becoming less dangerous to mothers' health, the list is periodically reviewed. Whereas, in 2015 it included 287 prohibited jobs, by 2018 the list had been cut by 96 and included 191 such jobs. These efforts will continue, taking into account the outcomes of analytical studies and the views of relevant agencies and organizations.

Article 3, paragraph 1, of the Labour Code provides that all persons have equal opportunities to exercise their rights and freedoms in the field of employment. Labour legislation guarantees equal pay for equal work and prohibits wage discrimination on grounds of sex, age or other circumstances not connected with the skills and performance of the employee.

Men's and women's wages are equal when they have the same qualifications and work in the same location, that is, a woman will be paid the same salary as a man if she occupies the same position, enjoys the same working conditions and has the same qualifications.

According to statistical data submitted by the Statistics Committee of the Ministry of National Economy, the average monthly nominal salary in 2017 was 150,827 tenge (162,267 tenge in January–December 2018), with men earning 179,575 tenge and women 121,793 tenge, making for a female-to-male wage ratio of 67.8 per cent.

The disparity in pay has developed because women and men working in the same sectors occupy different positions. Men, as a rule, work in heavy, harmful and dangerous conditions and earn commensurately higher pay, while women in the same sectors perform lighter work and are paid less. The same applies in other economic sectors too.

Since 1 January 2016, wages for all civil servants have been increased by, on average, 30 per cent, as called for by the Head of State in his 30 November 2015 address to the people of Kazakhstan, "Kazakhstan and the new global realities: growth, reform, development". Some 433,000 women received this increase.

Since 1 January 2019, on instructions from the Head of State, the minimum wage has been increased by a factor of 1.5, reaching 42,500 tenge (as at 1 January 2018, it stood at 28,284 tenge, which represented an increase of 15.6 per cent compared with 2017). The wages of certain categories of civil servant have been increased accordingly.

Furthermore, since 1 July 2019, the wages of certain public sector workers have been increased by up to 30 per cent, on instructions from the first President of Kazakhstan, the Elbasy, issued on 27 February 2019 at the eighteenth regular congress of the Nur Otan party. The wage increase occurred on 1 June 2019 and affected 824,000 women.

Kazakhstan has maintained women's employment at a stable level. Women make up 49 per cent of the total workforce. The employed population consists of 4.5 million men and 4.2 million women. Overall, in the past five years the level of female unemployment has fallen slightly. In 2018, it stood at 5.4 per cent.

Women work primarily in economic sectors such as health care and social services, constituting 70.8 per cent of persons employed in those sectors; education, 71.7 per cent; hotels and restaurants, 71.8 per cent; trade, 59.6 per cent; finance and insurance, 61.5 per cent; arts, leisure and recreation, 57.8 per cent; real estate, 58 per cent; and agriculture, 43.9 per cent.

Men traditionally work in transportation and storage, where they account for 75.6 per cent of the workforce; construction, 75.5 per cent; and industry, 67.4 per cent.

12. Health care

19. *Please provide information on measures taken to address the obstacles to access by women and girls to sexual and reproductive health.*

Please indicate the measures implemented to address the persisting unmet need for family planning, which remains high among rural women, women and girls with disabilities and adolescents.

Please provide information on measures taken to eliminate discrimination and violence against women living with HIV and women who use drugs, including in

prisons, and to ensure their access to adequate health services, including sexual and reproductive health services, drug dependency treatment and HIV treatment.

Please indicate the measures envisaged to reduce the age for access to health services without parental consent from 18 years to 16 years in the Health Code. It is indicated in the report (paras. 105 and 119) that there are 87 youth health-care centres that provide comprehensive medical and psychosocial services to adolescents and young people.

Please provide information about the measures taken to ensure the financial sustainability of the centres and to ensure that such centres meet the necessary quality standards and are gender sensitive, youth friendly and available in all areas, including rural areas.

Measures to improve women's reproductive health are focused on increasing the accessibility of family-planning services, including infertility treatment, eliminating unsafe abortions and combating infections transmitted primarily through sex. Accordingly, primary health care is being modernized as a matter of priority, with a view to the development of universal, integrated, socially-oriented, affordable and high-quality health care at the primary level. A national screening programme (for cancer and other diseases) has been developed and rolled out, along with a protocol for examining women of reproductive age, in order to enhance the protection of reproductive health, early detection and clinical monitoring of diseases, and treatment outcomes.

Measures are being taken to improve the health status of the population in the regions under memorandums concluded between the Ministry of Health and local executive bodies.

To ensure access by women and girls to sexual and reproductive health services at the primary health-care level and to prevent and reduce maternal and child morbidity, four types of specialized health education have been made available to young mothers: family-planning classes (in 2018, 473 such activities took place, attended by 69,852 people); antenatal classes (454 activities, attended by 65,825 people); young mothers' classes (461 activities, attended by 68,931 people); and healthy child classes (668 activities, attended by 139,835 people).

Everyone diagnosed with HIV is provided with free antiretroviral treatment, including pregnant women to prevent mother-to child-transmission. As at 31 March 2019, the proportion of persons receiving combination antiretroviral therapy was 74.2 per cent of those who needed it, or 15,040 of 20,265 persons.

A national plan of action has been adopted for 2018–2019 to combat stigma and discrimination against persons diagnosed with HIV.

To prevent intrauterine transmission of HIV from an HIV-infected mother to her child, a comprehensive prevention programme has been introduced; the programme is delivered free of charge, as part of the package of guaranteed free medical services.

Some 113 children have been born to HIV-infected women; all received antiretroviral prophylaxis to lower the risk of early transmission of HIV (in the first six weeks), that is 100 per cent. The risk of perinatal transmission has fallen by a factor of 2.4 compared with 2009 (from 3.4 per cent in 2009 to 1.4 per cent in 2018).

A network of NGOs has been developed in Kazakhstan in the field of HIV/AIDS prevention. In 2018, there were 57 such NGOs, 20 of which had been awarded government contracts for the provision of social services.

To raise awareness among the younger generation about HIV transmission, schools conduct mandatory biology classes for students in grades 8 and 10 on the theme “Immunity, types of immunity, AIDS and prevention”.

In the first quarter of 2019, 8,904 events were conducted to educate the public about preventing HIV infection; 291,196 people attended.

The number of women undergoing clinical and preventive observation on account of psychiatric and behavioural disorders caused by the use of narcotic drugs and psychotropic substances fell from 1,863 in 2017 to 1,741 in 2018 (or from 20.4 to 18.4 per 100,000 women).

There is continuous cooperation with NGOs to ensure access to health services for female drug users. A programme for the medical and social rehabilitation of drug-addicted women is offered to more than 100 women each year at the National Scientific and Practical Centre for Mental Health.

In 2018, more than 700,000 events were conducted to promote health lifestyles, reaching over 12 million people, and 3,050,776 initiatives involving the media.

The Ministry of Health has developed a set of measures to protect the health of young people in the context of an increase in spending on primary health care from 40 to 60 per cent. These measures will be reflected in a new State programme for the development of health care up to the year 2025.

The draft new version of the Code on Public Health and Health Care includes an article establishing a right for children aged 16 years and over to give informed, voluntary consent – or to withhold consent – to preventive, diagnostic, therapeutic and rehabilitative care involving medical intervention, with the exception of pregnancy termination.

There are 118 youth health-care centres operating in all regions of Kazakhstan. These centres offer preventive services and consultations with a view to protecting reproductive health and take a gender-sensitive and youth-friendly approach. The number of young people seeking the services of the centres is growing every year – last year, they served more than 393,000 young people – attesting to their accessibility and the effectiveness of their work. The practice of the youth health-care centres is gradually being aligned with international standards for the provision of youth reproductive health services, in conjunction with the UNFPA country office.

Since 2016, the Ministry of Information and Social Development has been carrying out projects on the theme “Protecting citizens’ health – promoting healthy lifestyles”, with grant funding for NGOs. In 2019, a project entitled “Children and health” is being implemented, involving information campaigns about the consequences of child marriage and educational programmes for children, parents, teachers and religious leaders.

Under the procedure provided for in the Code on Public Health and Health Care, the Government provides free health care and medicines to HIV-infected persons and persons with AIDS, within the parameters established for the provision of guaranteed free health services; there is no discrimination in this regard.

There are six women’s prisons in Kazakhstan holding 1,672 inmates. Incarcerated individuals are provided with a certain amount of guaranteed free health services, in close cooperation with local health-care departments and provincial centres for preventing and combating AIDS.

13. Rural women

20. *Please indicate the measures taken to further improve access to social services for rural women, to integrate a gender perspective into the State party's agricultural programmes, to further introduce gender-budgeting tools in the national planning of rural programmes and to eliminate the digital inequality of rural women.*

Under the State programme for the development of entrepreneurship among large rural families, support measures are envisaged in the form of grants and microloans on favourable terms. Government grants of up to 100 monthly notional units (252,500 tenge) are provided. It is planned to increase the grants to up to 200 monthly notional units.

It is proposed that 5,000 of the 14,000 microloans planned for 2019 should be allotted to the development of entrepreneurship among young people, large families with low incomes and working-age persons with disabilities in rural areas.

Microloans in amounts ranging from 2,500 to 8,000 monthly notional units (6.3 million to 20.2 million tenge) are granted for a maximum period of seven years with an annual interest rate of 6 per cent.

State-subsidized jobs will be created in the home for mothers of large families and mothers raising children with disabilities, enabling them to combine childcare with work.

In 2018, the Ministry of Information and Social Development implemented two projects to build the capacities of rural NGOs.

Within the framework of the project to organize and hold a conference on the development of rural NGOs, six mini grants were provided to rural NGOs, including women's NGOs. The mini grants totalled 100,000 tenge. At the end of the conference, a coalition of rural NGOs was established.

As part of the project on capacity-building for rural NGOs, three seminars were held to share the experience of the Local Community Fund in three provinces (Kyzylorda, Zhambyl and Turkistan) and a study was conducted to monitor the development of the Fund in Kazakhstan.

In 2019, projects to build the capacities of rural NGOs were implemented in the 14 provinces of Kazakhstan, with grant financing from the Ministry.

In accordance with paragraph 88 of the plan of action to implement the State programme entitled "Digital Kazakhstan", which was approved by Government Decision No. 827 of 12 December 2017, local executive bodies are preparing courses to equip people with basic digital skills and to retrain professionals, including women. It is envisaged that the programme will raise the level of digital literacy in Kazakhstan to 83 per cent by 2022.

In 2018, 686,100 people from 6 to 74 years of age received training at educational institutions, libraries and provincial skills development centres in all the provinces. Special attention is paid to socially vulnerable persons, including mothers of large families, pensioners and women on childcare leave. A total of 498,800 professionals acquired digital literacy in 2018. Thus, the level of digital literacy in 2018 was 76 per cent in rural areas and 82.2 per cent in cities.

There are more than 717 broadband Internet access points in 262 villages in Kazakhstan. It is planned to connect another 505 access points in 160 villages. High-quality Internet has been provided to 280 schools, 220 hospitals, more than 140 local administrative premises and other facilities. By 2020, it is planned to provide 1,222

government institutions with high-speed Internet access, thereby covering about 1 million rural inhabitants.

14. Women and climate change

21. *Please provide information on how the Government plans to reduce the differentiated and disproportionate impacts of the extraction and consumption of fossil fuels, in particular coal and oil, on women in Kazakhstan.*

An active participant in international processes in the sphere of climate change, Kazakhstan ratified the United Nations Framework Convention on Climate Change in 1995, the Kyoto Protocol thereto in 2009 and the Paris Agreement in 2016. In the context of the Paris Agreement, Kazakhstan has voluntarily undertaken by 2030 to reduce greenhouse gas emissions to a level 15 per cent lower than that of 1990.

One way to achieve that goal is through the greenhouse gas emissions trading scheme, the key provisions of which are set forth in the country's Environment Code.

The conceptual framework for the transition of Kazakhstan to a green economy was established pursuant to a presidential decree of 30 May 2013. Kazakhstan was one of the first countries in the world to adopt a government strategy in that regard and has been successfully implementing it for six years.

This year, a new version of the Environment Code reflecting the international environmental "polluter pays" principle will be drafted and introduced in Parliament.

Large industrial facilities, road transport and sources of heating (using coal) in private residential homes in populated areas are the main sources of air pollution in Kazakhstan. In the period 2015–2018, emissions decreased by 200,000 tons (from 4.4 million to 4.2 million tons) or 7 per cent. In 2018, actual air pollutant emissions totalled 2.5 million tons. A total of 110 billion tenge was spent on environmental action in 2018, 21 per cent more than in 2008.

Environmental monitoring in cities where thermal power plants have replaced coal with gas has shown that the amount of suspended particulate matter is decreasing. For example, since CHP-1 in Almaty switched to gas in 2014, emissions have decreased by 50 per cent (from 6,000 to 3,000 tons annually).

In order to improve the environment in the capital, construction of the Saryarka gas pipeline began this year. In addition to the capital, 171 populated areas will receive access to gas in the first stage, which will lead to a reduction in the levels of air pollution in cities.

The existing laws on subsoil management prohibit the flaring of associated and natural gas during the commercial extraction phase, except when flaring is technically unavoidable or in emergencies.

15. Refugee, stateless and asylum-seeking women

22. *In line with the Committee's general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, please indicate the measures envisaged to ensure that the procedures for refugee status determination and asylum applications are gender appropriate and age and culturally sensitive in order to ensure the systematic and early identification of women and girls who have been victims or are at risk of gender-based violence and assist them accordingly. Please indicate the measures taken to provide health insurance and basic medical services, including prenatal and postnatal health-care*

services, to stateless women and refugee and asylum-seeking women, in particular refugee and asylum-seeking women temporarily residing in the State party. Please indicate whether the State party is planning to accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

The procedures for granting, extending, withdrawing and rescinding refugee status in Kazakhstan are set out in the rules for registration and consideration of requests for refugee status, approved by Ministry of Internal Affairs Order No. 496 of 29 November 2010. In accordance with the rules, requests for refugee status are accepted from all family members of a person who is above the age of 18 years.

The procedures for refugee status determination include questioning asylum seekers to establish their personal details, including age, sex and other information, conducting individual interviews involving completion of a questionnaire, and issuing documents for asylum seekers in Kazakhstan. Interviews are conducted in private rooms that cannot be accessed by unauthorized persons. Interviews with minors are conducted in the presence of their tutor or guardian. Where an applicant fears being subjected to persecution on account of the threat or occurrence of sexual violence or torture, or on grounds of gender or other factors, requiring the creation of an atmosphere of trust, the interview is conducted by a person of the same sex. Applicants are informed that information obtained from interviews will not be disclosed or transmitted to the authorities of their countries of citizenship or former residence, or to unauthorized persons, without their consent.

In 2018, 137 people requested refugee status; 27 requests were granted, while 86 were denied. As at December 2018, a total of 553 refugees (128 families), comprising 269 women and 284 men, were registered in the territory of Kazakhstan.

In accordance with article 88 of the Code on Public Health and Health Care, refugees and asylum seekers are provided with the most effective preventive, diagnostic and therapeutic medical services under the procedure and to the extent determined by the relevant authority. Under Order No. 368 of the Minister of Health and Social Development of 21 May 2015 approving the rules on the provision to refugees and asylum seekers of the most effective preventive, diagnostic and therapeutic medical services and the scope of such services, health care for refugees and asylum seekers encompasses: emergency medical and outpatient-polyclinic care, including primary health and diagnostic care; inpatient care and alternatives to inpatient care; rehabilitation treatment and aftercare; palliative care and nursing care.

16. Marriage and family life

23. Please provide information on measures taken to legally prohibit the religious registration of marriages of girls under 18 years of age in order to prevent child marriage, although such registration is not legally enforceable. Please indicate the initiatives implemented to eliminate polygamy, which is prohibited by law but reportedly remains widespread throughout the country, and to collect disaggregated data and statistics on its prevalence.

The Government does not place “religious marriages” on the same footing as legally enforceable marriages registered under the procedure provided for in law.

In Kazakhstan, the protection of marriage, the family, motherhood and fatherhood is guaranteed by the State (Constitution, art. 27). In accordance with the Marriage and Family Code, of 26 December 2011, marriage requires the free and full consent of the man and woman entering into marriage, who must be of legal age for marriage (art. 9). The minimum age for marriage is 18 years for men and women. The

registration bodies in the place where the marriage is to be registered may lower the minimum age for marriage by up to two years in the event of pregnancy or the birth of a child to the intending spouses, but only with the consent of the persons entering into marriage and the written consent of the parents or guardians of persons below the legal age for marriage (art. 10).

Marriages are conducted at registry offices or in dedicated State wedding venues in the presence of the persons entering into marriage. In exceptional circumstances (serious illness, mobility impairment, detention or imprisonment), marriages may be concluded in the home or at a medical or other institution in the presence of the persons entering into marriage; the consent of the institution's administration must be obtained (art. 13).

Under article 23 of the Marriage and Family Code, marriages are to be annulled when the provisions of articles 9 to 11 of the Code are violated, including in cases of forced marriage.

The issue of establishing laws on the prohibition of "religious marriages" will be considered as part of the ongoing drafting of laws.

With regard to the widespread practice of concluding marriages in religious ceremonies without official registration, the Committee on Social Harmony of the Ministry of Information and Social Development has advised the Muslim Religious Board of Kazakhstan, which represents all mosques in the country, to perform marriages in mosques only after a marriage certificate has been provided by the persons entering into marriage.
